

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF  
DIVISION

In re: §  
§  
§  
Donald R Foster § Case No. 13-13139-PMC  
Nicole A. Foster §  
§  
§  
§  
Debtor(s) §

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## **TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter    of the United States Bankruptcy Code was filed on  
The undersigned trustee was appointed on
  2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
  3. All scheduled and known assets of the estate have been reduced to cash, released to  
the trustee as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned  
pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the  
disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$

Funds were disbursed in the following amounts:

- Payments made under an interim disbursement
- Administrative expenses
- Bank service fees
- Other payments to creditors
- Non-estate funds paid to 3<sup>rd</sup> Parties
- Exemptions paid to the debtor
- Other payments to the debtor

Leaving a balance on hand of \$

<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was \_\_\_\_\_ and the deadline for filing governmental claims was \_\_\_\_\_. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ \_\_\_\_\_. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ \_\_\_\_\_ as interim compensation and now requests a sum of \$ \_\_\_\_\_, for a total compensation of \$ \_\_\_\_\_.<sup>2</sup> In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ \_\_\_\_\_, and now requests reimbursement for expenses of \$ \_\_\_\_\_, for total expenses of \$ \_\_\_\_\_.<sup>2</sup>

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: \_\_\_\_\_ By:/s/RICHARD A. BAUMGART  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1  
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
ASSET CASES**

Exhibit A

|                    |                  |     |        |                           |                                  |                     |
|--------------------|------------------|-----|--------|---------------------------|----------------------------------|---------------------|
| Case No:           | 13-13139         | PMC | Judge: | Pat E. Morgenstern-Claren | Trustee Name:                    | RICHARD A. BAUMGART |
| Case Name:         | Donald R Foster  |     |        |                           | Date Filed (f) or Converted (c): | 05/01/2013 (f)      |
|                    | Nicole A. Foster |     |        |                           | 341(a) Meeting Date:             | 06/10/2013          |
| For Period Ending: | 12/03/2013       |     |        |                           | Claims Bar Date:                 | 11/04/2013          |

| 1  | 2                                  | 3  | 4   | 5                                       | 6   |
|--|------------------------------------|--|---|---|---|
| Asset Description<br>(Scheduled and Unscheduled (u) Property)    | Petition/<br>Unscheduled<br>Values | Est Net Value<br>(Value Determined by<br>Trustee, Less Liens,<br>Exemptions,<br>and Other Costs) | Property Formally<br>Abandoned<br>OA=554(a) | Sale/Funds<br>Received by<br>the Estate | Asset Fully<br>Administered (FA)/<br>Gross Value of Remaining<br>Assets |
| 1. 17821 East Parkway Lagrange, Oh 44050                         | 100,526.00                         | 0.00   |   | 0.00                                    | FA  |
| 2. Checking Account, First Merit Bank X5402                      | 171.79                             | 0.00   |   | 0.00                                    | FA  |
| 3. Savings Account, First Merit Bank                             | 20.22                              | 0.00   |   | 0.00                                    | FA  |
| 4. Cd At First Federal Of Lorain                                 | 3,000.00                           | 2,184.08   |   | 3,687.29                                | FA  |
| 5. Checking Account, Firstmerit Bank X0541                       | 282.71                             | 0.00   |   | 0.00                                    | FA  |
| 6. Household Goods & Furnishings Debtors' Residence              | 1,500.00                           | 0.00   |   | 0.00                                    | FA  |
| 7. Miscellaneous Clothing & General Wearing Apparel              | 250.00                             | 0.00   |   | 0.00                                    | FA  |
| 8. Miscellaneous & Costume Jewelry Debtors' Possession           | 300.00                             | 0.00   |   | 0.00                                    | FA  |
| 9. Whole Life Insurance Policy With Prudential Beneficiary       | 3,555.83                           | 0.00   |   | 0.00                                    | FA  |
| 10. 403(B) With Cleveland Clinic                                 | 447.24                             | 0.00   |   | 0.00                                    | FA  |
| 11. Roth Ira With Ameriprise                                     | 1,655.00                           | 0.00   |   | 0.00                                    | FA  |
| 12. 100% Interest In Freezing Hot Heating & Cooling, Llc         | 0.00                               | 0.00   |   | 0.00                                    | FA  |
| 13. Child Support Owed From Rishel Bolser                        | 1,000.00                           | 0.00   |   | 0.00                                    | FA  |
| 14. 2010 Ford Focus With 50,000+ Miles Spouse's Possession       | 8,100.00                           | 0.00   |   | 0.00                                    | FA  |
| 15. 2010 Ford F150 With 45,000+ Miles Debtor's Possession        | 21,775.00                          | 0.00   |   | 0.00                                    | FA  |
| 16. 2005 Jayco Pop-Trailer In Storage @ Pheasant Run Storage     | 200.00                             | 0.00   |   | 0.00                                    | FA  |
| 17. 14' Pace Enclosed Trailer                                    | 300.00                             | 0.00   |   | 0.00                                    | FA  |
| 18. Equipment And Tools Used For Freezing Hot Heating & Cooling, | 1,000.00                           | 0.00   |   | 0.00                                    | FA  |
| 19. Savings Account, First Merit Bank (1304)                     | 1.59                               | 0.00   |   | 0.00                                    | FA  |
| 20. Savings Account First Merit (9779)                           | 0.00                               | 0.00   |   | 0.00                                    | FA  |
| 21. Savings Account First Merit (3511)                           | 0.00                               | 0.00   |   | 0.00                                    | FA  |
| INT. Post-Petition Interest Deposits (u)                         | Unknown                            | N/A  |   | 0.00                                    | FA  |

Gross Value of Remaining Assets

|                                   |              |            |            |           |
|-----------------------------------|--------------|------------|------------|-----------|
| TOTALS (Excluding Unknown Values) | \$144,085.38 | \$2,184.08 | \$3,687.29 | \$0.00    |
| (Total Dollar Amount in Column 6) |              |            |            | Exhibit A |

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

RE PROP # 19 -- PER AMENDMENT  
RE PROP # 20 -- PER AMENDMENT  
RE PROP # 21 -- PER AMENDMENT

Initial Projected Date of Final Report (TFR): 04/30/2014

Current Projected Date of Final Report (TFR): 01/31/2014

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 13-13139

Trustee Name: RICHARD A. BAUMGART

Case Name: Donald R Foster

Bank Name: Bank of Kansas City

Nicole A. Foster

Account Number/CD#: XXXXXX1486

Taxpayer ID No: XX-XXX8533

Checking

For Period Ending: 12/03/2013

Blanket Bond (per case limit): \$2,000,000.00

Separate Bond (if applicable):

**Exhibit B**

| 1                | 2                  | 3  | 4   | 5                  | 6             | 7                  |
|------------------|--------------------|--|---|--------------------|---------------|--------------------|
| Transaction Date | Check or Reference | Paid To / Received From  | Description of Transaction  | Uniform Tran. Code | Deposits (\$) | Disbursements (\$) |
| 07/26/13         | 4                  | FOSTER, NICOLE   | CD AT FIRST FEDERAL OF LORAIN   | 1129-000           | \$3,687.29    | \$3,687.29         |
| 07/30/13         | 1001               | DONALD R. AND NICOLE A. FOSTER<br>C/O JOSEPH M. ROMANO, ESQ.<br>THE ROMANO LAW FIRM<br>50 PUBLIC SQUARE<br>400 TERMINAL TOWER<br>CLEVELAND, OH 44113 | Debtors' Exemption in CD at First Federal of Lorain                       | 8100-002           | \$1,503.21    | \$2,184.08         |
| 07/31/13         |                    | Bank of Kansas City  | Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2) | 2600-000           | \$10.00       | \$2,174.08         |
| 08/30/13         |                    | Bank of Kansas City  | Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2) | 2600-000           | \$10.00       | \$2,164.08         |
| 09/30/13         |                    | Bank of Kansas City  | Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2) | 2600-000           | \$10.00       | \$2,154.08         |
| 10/31/13         |                    | Bank of Kansas City  | Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2) | 2600-000           | \$10.00       | \$2,144.08         |

|                           |            |            |
|---------------------------|------------|------------|
| COLUMN TOTALS             | \$3,687.29 | \$1,543.21 |
| Less: Bank Transfers/CD's | \$0.00     | \$0.00     |
| Subtotal                  | \$3,687.29 | \$1,543.21 |
| Less: Payments to Debtors | \$0.00     | \$1,503.21 |
| Net                       | \$3,687.29 | \$40.00    |

## Exhibit B

## TOTAL OF ALL ACCOUNTS

|                             | NET DEPOSITS                 | DISBURSEMENTS                  | NET                 | ACCOUNT |
|-----------------------------|------------------------------|--------------------------------|---------------------|---------|
|                             | \$3,687.29                   | \$40.00                        | \$2,144.08          | BALANCE |
| XXXXXX1486 - Checking       | \$3,687.29                   | \$40.00                        | \$2,144.08          |         |
|                             |                              |                                |                     |         |
|                             | (Excludes account transfers) | (Excludes payments to debtors) | Total Funds on Hand |         |
| Total Allocation Receipts:  | \$0.00                       |                                |                     |         |
| Total Net Deposits:         | \$3,687.29                   |                                |                     |         |
| <hr/> Total Gross Receipts: | <hr/> \$3,687.29             |                                |                     |         |

Exhibit C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 13-13139-PMC

Date: December 3, 2013

Debtor Name: Donald R Foster

Claims Bar Date: 11/4/2013

| Code # | Creditor Name And Address   | Claim Class    | Notes                  | Scheduled  | Claimed    | Allowed    |
|--------|---|----------------|------------------------|------------|------------|------------|
| 100    | RICHARD A. BAUMGART<br>1801 East 9th Street - Suite 1100<br>Cleveland, OH 44114-3169  | Administrative |                        | \$0.00     | \$546.02   | \$546.02   |
| 100    | RICHARD A. BAUMGART<br>1801 East 9th Street - Suite 1100<br>Cleveland, OH 44114-3169  | Administrative |                        | \$0.00     | \$3.68     | \$3.68     |
| 1      | CAPITAL ONE BANK (USA)<br>N.A.<br>PO Box 71083<br>Charlotte, NC 28272-1083  | Unsecured      | Date Filed: 08/16/2013 | \$1,414.99 | \$1,431.81 | \$1,431.81 |
| 2      | American Infosource Lp As Agent<br>For<br>Verizon<br>Po Box 248838<br>Oklahoma City, Ok 73124-8838                            | Unsecured      | Date Filed: 08/30/2013 | \$0.00     | \$259.94   | \$259.94   |
| 3      | Cerastes, Llc<br>C O Weinstein And Riley, Ps<br>2001 Western Avenue, Ste 400<br>Seattle, Wa 98121                             | Unsecured      | Date Filed: 09/19/2013 | \$2,207.95 | \$2,298.55 | \$2,298.55 |
| 4      | Ecast Settlement Corporation<br>Assignee Of Chase<br>Bank Usa Na<br>Pob 29262<br>New York Ny 10087-9262                       | Unsecured      | Date Filed: 09/26/2013 | \$7,173.17 | \$7,173.17 | \$7,173.17 |
| 5A     | OHIO DEPARTMENT OF<br>TAXATION<br>BANKRUPTCY DIVISION<br>P.O. BOX 530<br>COLUMBUS, OH 43216                                   | Unsecured      | Date Filed: 09/27/2013 | \$0.00     | \$1,657.00 | \$1,157.00 |
| 6      | Capital Recovery V, Llc<br>C/O Recovery Management<br>Systems Corporat<br>25 Se 2Nd Avenue Suite 1120<br>Miami, Fl 33131-1605 | Unsecured      | Date Filed: 10/30/2013 | \$564.38   | \$610.28   | \$610.28   |
| 7      | Capital Recovery V, Llc<br>C/O Recovery Management<br>Systems Corporat<br>25 Se 2Nd Avenue Suite 1120<br>Miami, Fl 33131-1605 | Unsecured      | Date Filed: 10/30/2013 | \$469.37   | \$514.72   | \$514.72   |

**Exhibit C**  
**ANALYSIS OF CLAIMS REGISTER**

Case Number: 13-13139-PMC

Date: December 3, 2013

Debtor Name: Donald R Foster

Claims Bar Date: 11/4/2013

| Code #      | Creditor Name And Address      | Claim Class | Notes                  | Scheduled   | Claimed     | Allowed     |
|-------------|--------------------------------|-------------|------------------------|-------------|-------------|-------------|
| 8           | Capital Recovery V, Llc        | Unsecured   | Date Filed: 10/30/2013 | \$1,373.94  | \$1,432.15  | \$1,432.15  |
| 300         | C/O Recovery Management        |             |                        |             |             |             |
| 7100        | Systems Corporat               |             |                        |             |             |             |
|             | 25 Se 2Nd Avenue Suite 1120    |             |                        |             |             |             |
|             | Miami, Fl 33131-1605           |             |                        |             |             |             |
| 9           | Capital One N.A.               | Unsecured   | Date Filed: 10/30/2013 | \$1,278.21  | \$1,313.85  | \$1,313.85  |
| 300         | C/O Bass & Associates, P.C.    |             |                        |             |             |             |
| 7100        | 3936 E. Ft. Lowell Road, Suite |             |                        |             |             |             |
|             | #200                           |             |                        |             |             |             |
|             | Tucson, Az 85712               |             |                        |             |             |             |
| 10          | World's Foremost Bank          | Unsecured   | Date Filed: 11/04/2013 | \$4,389.46  | \$4,472.29  | \$4,472.29  |
| 300         | Cabela's Club Visa             |             |                        |             |             |             |
| 7100        | Po Box 82609                   |             |                        |             |             |             |
|             | Lincoln, Ne 68501-2609         |             |                        |             |             |             |
| 5B          | OHIO DEPARTMENT OF             | Unsecured   | Date Filed: 09/27/2013 | \$0.00      | \$1,657.00  | \$500.00    |
| 380         | TAXATION                       |             |                        |             |             |             |
| 7300        | BANKRUPTCY DIVISION            |             |                        |             |             |             |
|             | P.O. BOX 530                   |             |                        |             |             |             |
|             | COLUMBUS, OH 43216             |             |                        |             |             |             |
| Case Totals |                                |             |                        | \$18,871.47 | \$23,370.46 | \$21,713.46 |

Code#: Trustee's Claim Number, Priority Code, Claim Type (UTC)

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 13-13139-PMC

Case Name: Donald R Foster

Nicole A. Foster

Trustee Name: RICHARD A. BAUMGART

|                 |    |
|-----------------|----|
| Balance on hand | \$ |
|-----------------|----|

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

| Reason/Applicant                      | Total Requested | Interim Payments to Date | Proposed Payment |
|---------------------------------------|-----------------|--------------------------|------------------|
| Trustee Fees: RICHARD A. BAUMGART     | \$              | \$                       | \$               |
| Trustee Expenses: RICHARD A. BAUMGART | \$              | \$                       | \$               |

Total to be paid for chapter 7 administrative expenses \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ \_\_\_\_\_ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

| Claim No. | Claimant                                       | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|--|-------------------------|--------------------------|------------------|
| 1         | CAPITAL ONE BANK (USA) N.A.                    | \$                      | \$                       | \$               |
| 2         | American Infosource Lp As Agent For            | \$                      | \$                       | \$               |
| 3         | Cerastes, Llc                                  | \$                      | \$                       | \$               |
| 4         | Ecast Settlement Corporation Assignee Of Chase | \$                      | \$                       | \$               |
| 5A        | OHIO DEPARTMENT OF TAXATION                    | \$                      | \$                       | \$               |
| 6         | Capital Recovery V, Llc                        | \$                      | \$                       | \$               |
| 7         | Capital Recovery V, Llc                        | \$                      | \$                       | \$               |
| 8         | Capital Recovery V, Llc                        | \$                      | \$                       | \$               |
| 9         | Capital One N.A.                               | \$                      | \$                       | \$               |
| 10        | World"s Foremost Bank                          | \$                      | \$                       | \$               |

Total to be paid to timely general unsecured creditors \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

Tardily filed claims of general (unsecured) creditors totaling \$ have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ have been allowed and will be paid *pro rata* only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

| Claim No. | Claimant                    | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|-----------------------------|-------------------------|--------------------------|------------------|
| 5B        | OHIO DEPARTMENT OF TAXATION | \$                      | \$                       | \$               |

Total to be paid to subordinated unsecured creditors \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_